

**CITY OF MILPITAS  
UNAPPROVED**

**PLANNING COMMISSION MINUTES**

**July 28, 2004**

**I.  
PLEDGE OF ALLEGIANCE**

**Chair Nitafan** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.  
ROLL CALL**

Present: Nitafan, Lalwani, Garcia, Giordano, Mohsin and Sandhu  
Absent: Galang  
Staff: Carrington, Heyden and Rodriguez

**III.  
PUBLIC FORUM**

Chair Nitafan invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

There were no speakers from the audience.

**IV.  
APPROVAL OF MINUTES  
June 23, 2004**

Chair Nitafan called for approval of the minutes of the Planning Commission meeting of June 23, 2004.

**Motion** to approve the minutes.

M/S: Sandhu/Mohsin

AYES: 5

NOES: 0

ABSTENTIONS: 1 (Giordano) – Absent at the June 23, 2004 meeting.

**V.  
ANNOUNCEMENTS**

**Tambri Heyden, Acting Planning and Neighborhood Services Director**, made note of the handout regarding agenda item No. 3, which is on consent. There is a slight change to the conditions of approval and the applicant has agreed to the change.

Ms. Heyden noted that there would be a save-the-date postcard coming in the mail about an Ethics Code training session scheduled for Commissioners on October 7, 2004, and an alternate date of October 20, 2004. The sessions will be held from 7:00 – 9:00 p.m. in the Community Center Auditorium.

**Commissioner Garcia** asked when the Ethics Code training would take place for political candidates. Ms. Heyden replied that the candidates' workshop is scheduled for August 18, 2004.

**Commissioner Giordano** noted that there are a couple of residents in the area of Mt. Shasta and Dempsey Road who are concerned about the speed of traffic going through that area, particularly along Mt. Shasta going on to Dempsey. Their thought was to look into having speed undulators for that area. Ms. Heyden stated that staff would look into this.

**Commissioner Sandhu** extended an invitation on behalf of the Sikh Foundation of Milpitas. He noted that everyone present and those listening at home are welcome to attend the Milpitas Cultural Night, which will be held on August 21, 2004, at the Milpitas Community Center. General admission is \$9.00 dollars and children are free.

Chair Nitafan stated that he wrote a letter to the City Council advising them of his resignation from the Planning Commission. He then read the letter about his twelve years of service and his appreciation for being appointed to the Community Advisory Commission for four years and the Planning Commission for eight years. He is moving on to obtain a doctorate in business and this is his last day on the Planning Commission.

**VI.  
PLANNING COMMISSION  
CHAIR SERVICE PLAQUE**

Ms. Heyden asked Chair Nitafan to join her at the podium and she presented him with a plaque from the City in honor of his outstanding service on the Planning Commission including his time serving as Chair, and for his dedication to the Milpitas community. A light refreshment break was called to honor Chair Nitafan's service as Chair. Meeting was called back to order at 7:20 p.m.

**VII.  
APPROVAL OF  
AGENDA**

Chair Nitafan called for approval of the agenda.

There were no changes from staff.

**Motion** to approve the agenda.

M/S: Lalwani/Sandhu

AYES: 6

NOES: 0

**VIII.  
ELECTION OF OFFICERS  
(CHAIR & VICE CHAIR)**

Chair Nitafan thanked staff for their work with the Planning Commission and stepped down from the Commission. Ms. Heyden opened up nominations for Chair and Vice Chair.

Commissioner Sandhu nominated Vice Chair Lalwani for Chair. Vice Chair Lalwani accepted the nomination.

Commissioner Mohsin nominated Commissioner Garcia for Vice Chair. Commissioner Garcia accepted the nomination.

**Motion** to close the nominations.

M/S: Sandhu/Garcia.

AYES: 5

NOES: 0

There were no other nominations for Chair and Vice Chair. The commission voted unanimously to accept the nominations of Vice Chair Lalwani for Chair and Commissioner Garcia for Vice Chair.

**IX.  
CONSENT CALENDAR  
Consent Item Nos. 1, 2 & 3**

**Chair Lalwani** asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no changes from staff.

Chair Lalwani opened the public hearing on Consent Items No. 1, 2 & 3.

There were no speakers from the audience.

**Close Public Hearing**

**Motion** to close the public hearing on Consent Items No. 1, 2, & 3.

M/S: Sandhu/Giordano

AYES: 5

NOES: 0

**Motion** to approve the consent calendar on Consent Item Nos. 1, 2 & 3.

**\*1 REVOCATION OF USE PERMIT AMENDMENT NO. UA2003-15 (AD2004-8)** *(Continued from June 23, 2004):* A request to revoke Use Permit Amendment No. UA2003-15 for live entertainment, including dancing and karaoke, at the Manila Natori restaurant at 579 South Main Street (APN: 086-11-012), zoned Mixed Use (MXD). Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: No further action on the revocation)*

**\*2 'USE PERMIT NO. UP2004-8, 'S' ZONE APPROVAL AMENDMENT NO. SA2004-28 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-6:** A request to install an approximately 60 foot tall artificial tree pole, six (6) telecommunication antennas and associated ground mounted equipment located at 1525 McCarthy Boulevard (APN: 086-03-079), zoned Light Industrial (M1). Applicant: Cingular Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2367) *(Recommendation: Approve Use Permit No. UP2004-8 and "S" Zone Approval-Amendment No. SA2004-28 with conditions and adopt the related Negative Declaration (Environmental Impact Assessment No. EA2004-6))*

**\*3 USE PERMIT NO. UP2004-14:** A request to operate a new 1,271 square foot restaurant with 30 seats located at 530 Barber Lane at Milpitas Square shopping center (APN: 086-01-043), zoned General Commercial (C2). Applicant: Momomi Kato. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2374) *(Recommendation: Approval with Conditions)*

M/S: Sandhu/Giordano

AYES: 5

NOES: 0

**X.  
ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:28 p.m. to the next regular meeting of August 11, 2004.

Respectfully Submitted,

James Lindsay  
Planning Commission  
Secretary

Veronica Rodriguez  
Recording Secretary